



Fireplace Products U.S., Inc.

19649 NE San Rafael St., Portland, OR 97230

Phone: (971) 230-3200 • **Fax:** (971) 230-3233

www.regency-fire.com

May 31, 2019

TO: State Building Code Council Energy Code Technical Working Group

FROM: Glen Spinelli, CEO Fireplace Products U.S.

RE: WSEC R-27 – Gas Fireplace Efficiency (Proposed R402.4.2.1) & WSEC R-28 – Pilot Lights (Proposed R403.1.3)

Dear Members of the Energy Code Technical Working Group:

We would like to express our concerns with the proposals before you regarding gas fireplace efficiency and pilot lights.

Regency Fireplace Products employs hundreds of skilled trade workers, hundreds of support staff across North America, and has a dedicated distribution branch and sales team in Portland, Oregon. The hearth industry employs thousands of individuals in the U.S.A. from manufacturers, retailers, service technicians and support staff.

Our first concern is that the building codes are not the appropriate location for the complexity surrounding regulation of these appliances and how they function. This should be done in an appliance efficiency discussion either through statute or through a regulatory function that involves the manufacturers in the industry. These proposals will dictate how an appliance must be manufactured for sale in the state of Washington and requires more significant workshops and industry stakeholder processes that are specific to the manufacture of the appliance. Once that is completed, the State Building Code Council can be assured that the appliances are available for sale in Washington and readily available to contractors and consumers. Without this assurance, the code may read one thing but consumers may not find the appliances readily available and affordable for their homes.

The state of California, the Province of British Columbia, and Canada are all currently dealing with these issues (or are finalizing) as part of regulatory discussions. Multiple workshops and meetings have been held with industry to get to solutions and agreements. Washington would also benefit from waiting until the rules in California and Canada are solidified to ensure consistency for manufacturers.

In addition to this concern, we have specific concerns regarding each proposal:

The importance of a distinction between the two categories of product is reflected in several more recent regulatory efforts. The British Columbia Ministry of Mines, Energy & Petroleum Resources (B.C.MEM) has new regulatory requirements for vented gas fireplaces, stoves, and inserts manufactured or imported into the province on or after January 1, 2019. The regulation sets minimum efficiency requirements of 50 percent fireplace efficiency (or "FE" using CSA P.4.1-15) for Z21.88 appliances, but imposes no FE minimum for Z21.50 appliances. Natural Resources Canada (NRCAN) and the California Energy Commission (CEC) are considering regulatory programs as well, each with a distinction between heater-rated and decorative



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appliances. The common decision to consider heater-rated appliances Z21.50 and Z21.88 as distinct product categories speaks to the recognition that the two product categories are intended for very different purposes. While both categories of product are, first and foremost, aesthetic, they are manufactured, certified, marketed, and purchased based on the specific heating needs of the consumer.

On the continuous pilot light proposal, once again this is building code attempting to govern manufacture of appliances. All other discussions on this are happening in a regulatory or statutory environment that has more industry stakeholder input and workshops from those who make the product to ensure that what is being asked for can actually be done and still have operational efficiency for the end user. Specifically, we need to have more nuanced discussions regarding Intermittent Pilot Ignitions, timed or on-demand pilot ignitions and how to allow some level of continuous pilot ignition in colder, damper climates (such as Western Washington). The damper air in Western Washington can impact drafting in the operation of the appliance.

We ask you to reconsider these proposals and engage in meaningful discussions with an industry that employs so many hard working Americans.

If I can provide further clarity on any of these points or other matters concerning gas fireplaces, please do not hesitate to contact me directly. Thank you for considering the points presented here.

Sincerely,

Glen Spinelli
CEO
Fireplace Products U.S.
410-808-0709

cc. Carolyn Logue, Legislative Consultant
Carolyn.logue@comcast.net